

# Appeal of Administrative Decision to LUHO Application:

LUHO Hearing Date:

Case Reviewer:

APP-LUHO 25-0475

April 21, 2025

Colleen Marshall, AICP, CFM



**Hillsborough  
County** Florida

Development Services Department

Appellant:

Greystone at Lake Pretty LLC

Zoning:

ASC-1

Location:

8028 Cosme Road, Odessa, FL; Folio 2461.0000

## Summary:

The appellant is appealing the Administrator's decision in Administrative Variance Request for subdivision Project ID 7001 concerning improvements related to the subdivision of 8028 Cosme Road in Odessa and identified as tax folio number 2461.0000.

The Administrative Variance decision was dated January 9, 2025. The subject appeal was submitted on February 7, 2025, and therefore was timely filed, pursuant to LDC Section 10.05.01.C.1.

**Zoning Administrator Sign Off:**

Colleen Marshall  
Thu Apr 3 2025 12:44:14

**ATTACHMENTS: ADMINISTRATIVE VARIANCE DENIAL**

## Marshall, Colleen

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**From:** Williams, Michael  
**Sent:** Friday, January 10, 2025 4:19 PM  
**To:** James Catalano  
**Cc:** Kniesly, Benjamin; De Leon, Eleonor; PW-CEIntake  
**Subject:** FW: Admin Variance PI 7001  
**Attachments:** 24-11-12\_Administrative Variance.pdf

James,

This Design Exception request has been denied as the road does not meet minimum Florida GreenBook standards and does not meet minimum Fire standards for a two way street.

If you have any questions, please let me know.

Mike

**Michael J. Williams, P.E.**

**Director, Development Review**

**County Engineer**

Development Services Department

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**P:** (813) 307-1851

**M:** (813) 614-2190

**E:** [Williamsm@HCFL.gov](mailto:Williamsm@HCFL.gov)

**W:** HCFLGov.net

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### Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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[Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#) | [HCFL Stay Safe](#)

Please note: All correspondence to or from this office is subject to Florida's Public Records law.

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**From:** Kniesly, Benjamin <KnieslyB@hcfl.gov>  
**Sent:** Thursday, November 14, 2024 4:47 PM  
**To:** PW-CEIntake <PW-CEIntake@hcfl.gov>  
**Cc:** De Leon, Eleonor <DeLeonE@hcfl.gov>; Williams, Michael <WilliamsM@hcfl.gov>  
**Subject:** Admin Variance PI 7001

After several scope and formatting meetings, the attached AV is ready for the County Eng consideration.

Key points.

- The AV is unusual in that the request is to maintain Cosme roads 16 ft wide pavement width. In my view, the justification is rational considering the circumstances with the proposed 13-home 1 acre lots.
- The development is within the Keystone-Odessa overlay district
- Cosme Rd is a dead-end low speed/volume and will have only 6 driveways between Gunn Hwy and the Dev entrance, approximately 2,400 ft.

- The dev will reduce truck traffic as it is replacing a wholesale nursery
- No accidents in the current condition.

Please include the below with the final recommendation.

James Catalano <[james@ceitampa.com](mailto:james@ceitampa.com)>

### **Benjamin R. Kniesly, P.E.**

Development Review Division

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**P:** (813) 307-1758

**E:** [knieslyb@hcfl.gov](mailto:knieslyb@hcfl.gov)

**W:** [HCFLGov.net](http://HCFLGov.net)

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### **Hillsborough County**

601 E. Kennedy Blvd., Tampa, FL 33602

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-----Original Appointment-----

**From:** Kniesly, Benjamin

**Sent:** Tuesday, November 12, 2024 4:55 PM

**To:** Kniesly, Benjamin; James Catalano

**Cc:** [jlmcmullen1948@gmail.com](mailto:jlmcmullen1948@gmail.com); [jfm@tampabay.rr.com](mailto:jfm@tampabay.rr.com)

**Subject:** AV Meeting PI 7001

**When:** Thursday, November 14, 2024 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** Microsoft Teams Meeting

DE Final Workshop

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## **Microsoft Teams** [Need help?](#)

### **[Join the meeting now](#)**

Meeting ID: 223 457 852 212

Passcode: ybJcFJ

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### **Dial in by phone**

[+1 813-515-8094,,159589801#](#) United States, Tampa

[Find a local number](#)

Phone conference ID: 159 589 801#

For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

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**From:** James Catalano <[james@ceitampa.com](mailto:james@ceitampa.com)>  
**Sent:** Tuesday, November 12, 2024 4:42 PM  
**To:** Kniesly, Benjamin <[KnieslyB@hcfl.gov](mailto:KnieslyB@hcfl.gov)>  
**Cc:** [jlmcmullen1948@gmail.com](mailto:jlmcmullen1948@gmail.com); [jfm@tampabay.rr.com](mailto:jfm@tampabay.rr.com)  
**Subject:** RE: AV Meeting PI 7001

**External email:** Use caution when clicking on links, opening attachments or replying to this email.

Ben,

I checked the pre-application meeting notes and Glen Shopmyer stated that the Administrative Variance would apply to TS-07 because it's a rural section. All else is as we discussed.

Again, I greatly appreciate your guidance on this!

**James Catalano, PE** : [james@ceitampa.com](mailto:james@ceitampa.com)

2119 West Cass Street : Tampa, FL 33606 : 813.254.1265



-----Original Appointment-----

**From:** James Catalano  
**Sent:** Friday, November 8, 2024 4:42 PM  
**To:** Kniesly, Benjamin  
**Subject:** Accepted: AV Meeting PI 7001  
**When:** Wednesday, November 13, 2024 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** Microsoft Teams Meeting





November 12, 2024

Mr. Michael Williams, P.E.  
Hillsborough County Development Services Department  
Development Review Director  
County Engineer  
601 E. Kennedy Boulevard, 20th Floor  
Tampa, FL 33602

**RE: Greystone at Pretty Lake (PI 7001)**  
Administrative Variance Request / Substandard Access Roadway  
Folio #: 010212.0000

Dear Mr. Williams,

The purpose of this letter is to provide justification for an administrative variance to meet the requirements of the Hillsborough County Land Development Code (LDC) Section 6.04.03.L (existing facility) in association with the proposed development located near the east terminus of Cosme Road in Odessa, FL.

The proposed development will convert the existing commercial landscape nursery to a residential subdivision of thirteen (13) 1-acre single-family lots with a single access to Cosme Road 2,400' +/- east of Gunn Hwy, as shown on the attached Preliminary Plan / Site Plan (Exhibit A). The development is within the Keystone-Odessa overlay district, where according to HCLDC Section 3.08.07, "sidewalks shall be provided only when the roadway is identified as having hazardous walking conditions for elementary students in accordance with F.S. 1006.23".

Cosme Road from Gunn Highway, east to the subject development a low volume, rural section with a posted speed of 25 MPH and 16ft of asphalt pavement in very good condition, being resurfaced in December of 2022. The right of way is clear, mostly straight, and unobstructed with excellent sight distance (Exhibit B). There are only six (6) driveways along this 2,400' segment, which is equipped with wide, well defined, and shallow shoulders on each side of the pavement. Given that Cosme Road serves only two, private dead-end roads, all trips come and go via Gunn Hwy. Additionally, a recent crash data analysis returned zero (0) crashes (Exhibit C)

This request is for an administrative variance to the TS-7 typical section of the Hillsborough County Transportation Technical Manual in accordance with LDC Section 6.04.02.B for the section of Cosme Road from Gunn Highway to the project driveway, for the following reasons: (a) there is an unreasonable burden on the applicant; (b) the variance would not be detrimental to the public health, safety and welfare; and (c) without the variance, reasonable access cannot be provided. These items are further discussed below.

**A) There is an unreasonable burden on the applicant:** The existing right-of-way width for Cosme Road varies between about 40ft and 50ft, with only a few areas exceeding 45ft. The typical section TS-7 for local rural roadways requires a minimum of 96 feet of right-of-way with 12-foot travel lanes, 5-foot paved shoulders, open drainage and 5-foot sidewalks. The 2,400 LF of Cosme Road to Gunn Hwy is a well-functioning rural roadway with shallow, stabilized shoulders, 16ft-foot travel way with no accident history. Due to the constrained right of way on Cosme Road, the additional travel lane width, paved shoulder and sidewalk cannot be provided. In addition, the proposed change in use from a wholesale nursery (LUC 818) to single-family detached homes (LUC 210) will result in an overall reduction in the percentage of trucks to and from the site using Cosme Road. Therefore, the requirement to improve Cosme Road is unreasonable.

**B) The variance would not be detrimental to the public health, safety, and welfare:** Cosme Road currently has 8-foot travel lanes. According to the County's TS-10 (Exhibit D), local, low-volume roadways where the speed limit is 25 mph, may use 8-foot lanes. The existing 8-foot travel lanes help keep the speed down and helps provide a safe section that serves the rural character of the neighborhood. Cosme Road terminates just east of the proposed access drive, connecting to two private, dead-end, access easements that serve the adjacent homeowners. During our meetings with the homeowners, they have expressed concern for widening Cosme Road which they fear will disrupt the rural characteristics of the neighborhood. Given the information outlined in this section, the existing roadway section would not be detrimental to the public health, safety, and welfare of the motoring public.

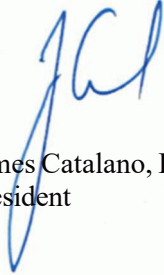
**C) Without the variance, reasonable access cannot be provided:** The proposed project will have only the one (1) full access to Cosme Road, located at essentially the same location as the existing access. Without the variance, reasonable access cannot be provided.

Given the above, we request an administrative variance to waive the requirements of the TS-7 typical section of the Hillsborough County Transportation Technical Manual while granting our access to Cosme Road.

Thank you very much for your consideration. If you have any questions or wish to discuss this request, please do not hesitate to contact me directly at (813) 220-8601.

Sincerely,

**Catalano Engineering, Inc.**



James Catalano, PE  
President

This item has been digitally signed and sealed by James Catalano, PE on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Attachments:

Exhibit A – Preliminary Plat / Site Plan

Exhibit B - Cosme Road Right-of-Way

Exhibit C – Crash Data

Exhibit D - Hillsborough County TTM TS-10

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Based on the information provided by the applicant, this request is:

\_\_\_\_\_ Disapproved \_\_\_\_\_ Approved with Conditions \_\_\_\_\_ Approved

If there are any further questions or you need clarification, please contact Sheida Tirado, P.E.

Sincerely,

Michael J. Williams  
Hillsborough County Engineer

EXHIBIT A

PRELIMINARY PLAT / SITE PLAN



## EXHIBIT B



Cosme Road Right-of-Way

EXHIBIT C

CRASH DATA

Search	▼
Top Locations Analysis	▼
Crash Record Selection	▼
Results	▲

Summary

No data records found. Please try your selections again

0 crash records returned. (0 mapped)

[View Selection Parameters](#) [Clear Results](#)

(\*the summary below shows the most, recent 5 years worth of data)



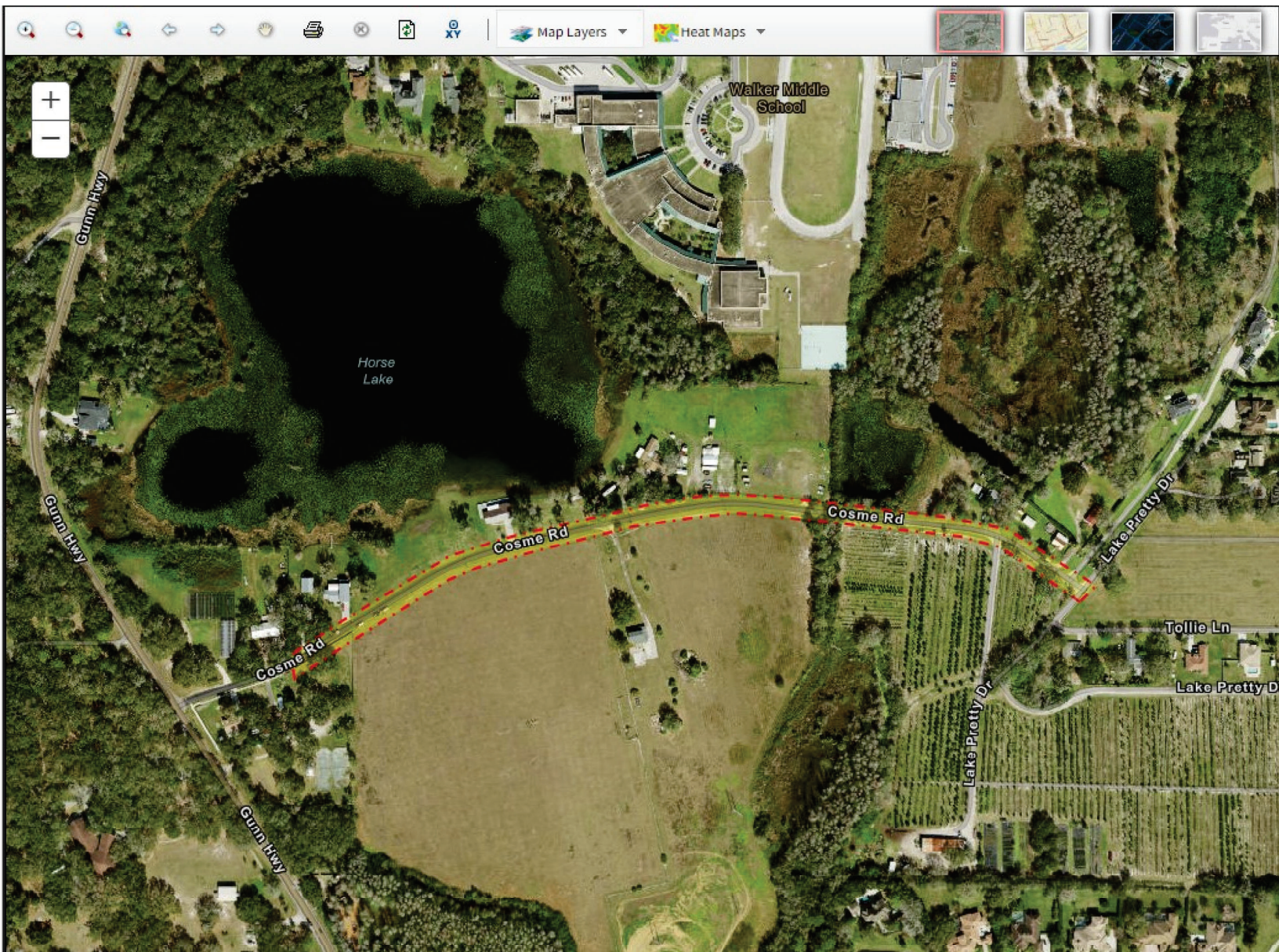
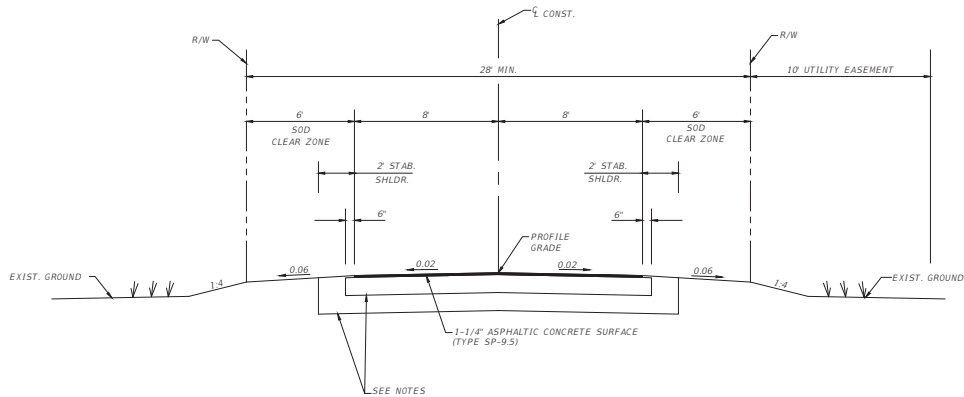




EXHIBIT D


HILLSBOROUGH COUNTY TTM TS-10



MAX. ALLOWABLE SPEED - 25 MPH  
N.T.S.

NOTES:

1. OPTIONAL BASE GROUP 1 WITH 10\" TYPE \"B\" STABILIZATION LBR 40.
2. OPTIONAL BASE GROUP 6 WITH COMPACTED SUBGRADE.
3. DIMENSIONS SHOWN ARE MINIMUM.
4. SEE APPROPRIATE SECTION OF TRANSPORTATION TECHNICAL MANUAL FOR DESIGN PARAMETERS.
5. CROSS SLOPE OF PAVEMENT MAY BE CONTINUOUS IN ONE DIRECTION FOR THE FULL WIDTH OF ROADWAY.
6. WHERE REQUIRED BY THE HILLSBOROUGH COUNTY LAND DEVELOPMENT CODE, SIDEWALKS ARE TO BE PLACED WITHIN OR OUTSIDE OF THE PROPOSED RIGHT-OF-WAY WITHIN AN EASEMENT APPROVED BY THE COUNTY.
7. PLACE SOD WITH STAGGERED TRANSVERSE JOINTS. (BOTH TEMPORARY AND PERMANENT)

REVISION DATE	TRANSPORTATION TECHNICAL MANUAL	 <b>Hillsborough County Florida</b>	LOCAL LOW VOLUME PRIVATE ROADS FOR MINOR SUBDIVISIONS WITH 10 LOTS OR LESS TYPICAL SECTION	DRAWING NO.	SHEET NO.
10/2023				TS-10	1 OF 1

Eric Olczewski

8/18/2023 10:51:17 AM

F:\Projects\HCPB0009 Transportation Dev and Dev\T-Corridor Proj Plan\CADD\NEW\TS-10.dwg



## Written Statement of Appeal

In the space below, indicate the basis of the appeal.

See attached appeal statement and exhibits.

## WRITTEN STATEMENT OF APPEAL

The proposed development will convert an existing 18± acre commercial wholesale nursery to a residential subdivision of thirteen (13) 1-acre single-family lots with a single access to Cosme Road, roughly 2,400 lf east of Gunn Hwy, as shown on the attached Preliminary Plan / Site Plan (Exhibit A). The development is within the Keystone-Odesa overlay district, where according to HCLDC Section 3.08.07, *“sidewalks shall be provided only when the roadway is identified as having hazardous walking conditions for elementary students in accordance with F.S. 1006.23”*.

The existing Cosme Road from Gunn Highway matches very closely the County’s TS-10 typical roadway section as a low-volume, rural section with a posted speed of 25 MPH and 17ft to 19ft of asphalt pavement in very good condition, being resurfaced in December of 2022. The right of way is clear, mostly straight, and unobstructed with excellent sight distance (Exhibit B). There are only six (6) driveways along this 2,400 ft segment, which is equipped with wide, well defined, shallow shoulders on each side of the pavement. Cosme Road terminates at the proposed access drive, where it connects two, private dead-end roads. All trips come and go via Gunn Hwy. Additionally, a recent crash data analysis reported zero (0) crashes (Exhibit C).

Costs associated with the improvements if the recorded ADT is greater than 400 would be approximately \$708,545.00 to widen 2,400 lf from 17ft to 2 ft, including mill and resurface. If the recorded ADT is less than 400, the costs associated with the improvements would be approximately \$414,444.00 to widen 2,400 lf from 17ft to 18ft, including mill and resurface.

An administrative variance to the TS-7 typical section of the Hillsborough County Transportation Technical Manual in accordance with LDC Section 6.04.02.B for the section of Cosme Road from Gunn Highway to the project driveway, is supported by the following: (a) there is an unreasonable burden on the applicant; (b) the variance would not be detrimental to the public health, safety and welfare; and (c) without the variance, reasonable access cannot be provided. These items are further discussed below.

**A) There is an unreasonable burden on the applicant:** The existing right-of-way width for Cosme Road varies between about 40ft and 50ft, with only a few areas exceeding 45ft. The typical section TS-7 for local rural roadways requires a minimum of 96 feet of right-of-way with 12-foot travel lanes, 5-foot paved shoulders, open drainage and 5-foot sidewalks. The 2,400 lf of Cosme Road to Gunn Hwy is a well-functioning rural roadway with shallow, stabilized shoulders, 17 – 19 ft-foot travel lanes with no accident history. Due to the constrained right-of-way on Cosme Road, the additional travel lane width, paved shoulders and sidewalks cannot be provided. In addition, the proposed change in use from a wholesale nursery (LUC 818) to single-family detached homes (LUC 210) will result in an overall reduction in the percentage of trucks to and from the site using Cosme Road. Therefore, the requirement to widen Cosme Road is unreasonable.

**B) The variance would not be detrimental to the public health, safety, and welfare:** Cosme Road currently has greater than 8-foot travel lanes. According to the County’s TS-10 (Exhibit D), local, low-volume roadways where the speed limit is 25 mph, may use 8-foot lanes. The existing width of the travel lanes help keep the speed down and provide a safe section that serves the rural character of

the neighborhood. Cosme Road terminates just east of the proposed access drive, connecting to two private, dead-end, access easements that serve the adjacent homeowners. During our meetings with the homeowners, they have expressed concern for widening Cosme Road which they fear will disrupt the rural character of the neighborhood. Given the information outlined in this section, the existing roadway, section if allowed to remain as-is, would not be detrimental to the public health, safety, and welfare of the motoring public.

**C) Without the variance, reasonable access cannot be provided:** The proposed project will have only the one (1) full access to Cosme Road, located at essentially the same location as the existing access. Without the variance, reasonable access cannot be provided.

For these reasons, an administrative variance should be granted waiving the requirements of the TS-7 typical section of the Hillsborough County Transportation Technical Manual and allowing Cosme Road to remain as-is while granting access to Cosme Road.

Appellant reserves the right to supplement the foregoing with publicly available County records.

Exhibits:

- A. Preliminary Plat / Site Plan
- B. Photo – Cosme Road Right of Way
- C. Crash Data
- D. Hillsborough County TTM TS-10
- E. James Catalano, P.E. letter regarding Cosme Road safety record



November 12, 2024

Mr. Michael Williams, P.E.  
Hillsborough County Development Services Department  
Development Review Director  
County Engineer  
601 E. Kennedy Boulevard, 20th Floor  
Tampa, FL 33602

**RE: Greystone at Pretty Lake (PI 7001)**  
Administrative Variance Request / Substandard Access Roadway  
Folio #: 010212.0000

Dear Mr. Williams,

The purpose of this letter is to provide justification for an administrative variance to meet the requirements of the Hillsborough County Land Development Code (LDC) Section 6.04.03.L (existing facility) in association with the proposed development located near the east terminus of Cosme Road in Odessa, FL.

The proposed development will convert the existing commercial landscape nursery to a residential subdivision of thirteen (13) 1-acre single-family lots with a single access to Cosme Road 2,400 lf +/- east of Gunn Hwy, as shown on the attached Preliminary Plan / Site Plan (Exhibit A). The development is within the Keystone-Odessa overlay district, where according to HCLDC Section 3.08.07, "sidewalks shall be provided only when the roadway is identified as having hazardous walking conditions for elementary students in accordance with F.S. 1006.23".

Cosme Road from Gunn Highway, east to the subject development a low volume, rural section with a posted speed of 25 MPH and 16ft of asphalt pavement in very good condition, being resurfaced in December of 2022. The right of way is clear, mostly straight, and unobstructed with excellent sight distance (Exhibit B). There are only six (6) driveways along this 2,400' segment, which is equipped with wide, well defined, and shallow shoulders on each side of the pavement. Given that Cosme Road serves only two, private dead-end roads, all trips come and go via Gunn Hwy. Additionally, a recent crash data analysis returned zero (0) crashes (Exhibit C)

This request is for an administrative variance to the TS-7 typical section of the Hillsborough County Transportation Technical Manual in accordance with LDC Section 6.04.02.B for the section of Cosme Road from Gunn Highway to the project driveway, for the following reasons: (a) there is an unreasonable burden on the applicant; (b) the variance would not be detrimental to the public health, safety and welfare; and (c) without the variance, reasonable access cannot be provided. These items are further discussed below.

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**B) The variance would not be detrimental to the public health, safety, and welfare:** Cosme Road currently has 8-foot travel lanes. According to the County's TS-10 (Exhibit D), local, low-volume roadways where the speed limit is 25 mph, may use 8-foot lanes. The existing 8-foot travel lanes help keep the speed down and helps provide a safe section that serves the rural character of the neighborhood. Cosme Road terminates just east of the proposed access drive, connecting to two private, dead-end, access easements that serve the adjacent homeowners. During our meetings with the homeowners, they have expressed concern for widening Cosme Road which they fear will disrupt the rural characteristics of the neighborhood. Given the information outlined in this section, the existing roadway section would not be detrimental to the public health, safety, and welfare of the motoring public.

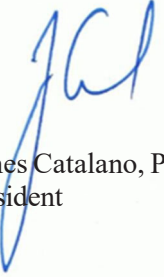
**C) Without the variance, reasonable access cannot be provided:** The proposed project will have only the one (1) full access to Cosme Road, located at essentially the same location as the existing access. Without the variance, reasonable access cannot be provided.

Given the above, we request an administrative variance to waive the requirements of the TS-7 typical section of the Hillsborough County Transportation Technical Manual while granting our access to Cosme Road.

Thank you very much for your consideration. If you have any questions or wish to discuss this request, please do not hesitate to contact me directly at (813) 220-8601.

Sincerely,

**Catalano Engineering, Inc.**



James Catalano, PE  
President

This item has been digitally signed and sealed by James Catalano, PE on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Attachments:

- Exhibit A – Preliminary Plat / Site Plan
- Exhibit B - Cosme Road Right-of-Way
- Exhibit C – Crash Data
- Exhibit D - Hillsborough County TTM TS-10

---

Based on the information provided by the applicant, this request is:

\_\_\_\_\_ Disapproved \_\_\_\_\_ Approved with Conditions \_\_\_\_\_ Approved

If there are any further questions or you need clarification, please contact Sheida Tirado, P.E.

Sincerely,

Michael J. Williams  
Hillsborough County Engineer

This instrument prepared by  
(and return to):  
Richard D. Eckhard  
**HOLLAND & KNIGHT LLP**  
P. O. Box 1288  
Tampa, FL 33601-1288

### WARRANTY DEED

The Grantors, **John L. McMullen, Jr.** and **Judith F. McMullen**, husband and wife, whose mailing address is P.O. Box 896, Odessa, Florida 33556-0896, in consideration of ten dollars and other valuable considerations received from the Grantee, hereby grants and conveys to the Grantee, **Greystone at Lake Pretty LLC**, a Florida limited liability company, whose mailing address is 801 US Highway 1, North Palm Beach, Florida 33408, the real property in Hillsborough County, Florida, described on attached Exhibit A.

The Grantor hereby covenants and warrants that the property is free of all encumbrances, subject to covenants, conditions, easements and restriction of record, the lien for real estate taxes not yet due and payable and to all other matters set forth herein or on any attached exhibit, that lawful seisin of and good right to convey the property are vested in the Grantor, and that the Grantor hereby fully warrants the title to the property and will defend the same against the lawful claims of all persons whomsoever.

Dated this 6 day of April, 2023.

Signed in the presence of  
two witnesses

(Sign)

(Print Name)

(Sign)

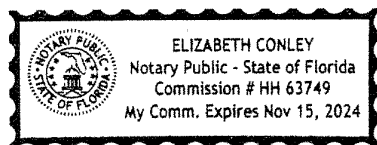
(Print Name)

John L. McMullen, Jr.

Judith F. McMullen

STATE OF Florida  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 6 day of April, 2023, by John L. McMullen, Jr. and Judith F. McMullen, husband and wife, who are personally known to me or who have produced 7254-472-48-229-0 FL DL and 7254-428-49-99-8 FL DL as identification.



(Print)

Elizabeth Conley

Notary Public-State of Florida

Commission Number: HH63749

My Commission Expires: 11-15-2024



**Exhibit A**

**LEGAL DESCRIPTION:**

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 27 SOUTH, RANGE 17 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 26; RUN THENCE ALONG THE WEST BOUNDARY LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 26, NORTH 00°04'19" WEST, 516.58; THENCE DEPARTING SAID WEST BOUNDARY LINE, SOUTH 89°37'25" EAST, 114.27 FEET; THENCE NORTH 31°01'20" EAST, 500.39 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY MAINTAINED RIGHT-OF-WAY LINE OF COSME ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: 1) SOUTH 83°24'16" EAST, 5.01 FEET TO A POINT OF CURVATURE; 2) THENCE EASTERLY, 167.51 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 351.00 FEET, A CENTRAL ANGLE OF 27°20'38", AND A CHORD OF 165.93 FEET WHICH BEARS SOUTH 69°43'57" EAST TO A POINT OF TANGENCY; 3) THENCE SOUTH 56°03'38" EAST, 180.92 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY BOUNDARY LINE OF THE SEABOARD AIR LINE RAILROAD; THENCE ALONG SAID EASTERLY BOUNDARY LINE, SOUTH 39°39'15" WEST, 353.30 FEET TO A POINT OF INTERSECTION WITH THE SOUTH BOUNDARY LINE OF THE NORTH 840 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 26; THENCE ALONG SAID SOUTH BOUNDARY LINE, SOUTH 89°37'25" EAST, 903.25 FEET; THENCE DEPARTING SAID SOUTH BOUNDARY LINE, SOUTH 00°19'46" WEST, 505.18 FEET TO A POINT OF INTERSECTION WITH THE SOUTH BOUNDARY LINE OF THE NORTHEAST 1/4 OF SAID SECTION 26; AND THENCE ALONG SAID SOUTH BOUNDARY LINE, SOUTH 89°53'44" WEST, 1,357.09 FEET TO THE POINT OF BEGINNING.

TRACT CONTAINS 19.13 ACRES, MORE OR LESS.

# Appeal of Administrative Decision Application



**Hillsborough  
County Florida**  
Development Services

## Important Instructions to All Applicants:

Email your completed application to [ZoningIntake-DSD@HCFLGov.net](mailto:ZoningIntake-DSD@HCFLGov.net) or visit [HCFLGov.net/DigitalDropOff](https://HCFLGov.net/DigitalDropOff).  
All requirements listed on the submittal checklist must be met. Incomplete applications will not be accepted. For questions regarding the appeal process, please call (813) 307-4739 or send an e-mail to [ZoningIntake-DSD@HCFLGov.net](mailto:ZoningIntake-DSD@HCFLGov.net)

## Official Use Only

Application No: 25-0475

Intake Date: 2/11/25

Receipt Number: 448045

Intake Staff Signature:

*Cierra James*

## Administrative Decision Being Appealed

Application Number of Decision: Administrative Variance PI 7001

Subject Property Address (If Applicable): 8028 Cosme Rd., Odessa

Folio(s): 002461-0000

## Appellant Information

Name: Greystone at Lake Pretty LLC Daytime Phone: \_\_\_\_\_

Address: 8028 Cosme Rd.

City: Odessa State: FL Zip: 33556

Email: \_\_\_\_\_ Fax Number: \_\_\_\_\_

## Appellant's Representative (Must be Legal Counsel)

Name: Mark Bentley, Esq., B.C.S., AICP Daytime Phone 813-225-2500

Address: 400 N Ashley Drive, Suite 3100

City: Tampa State: FL Zip: 33602

Email: development@jpfirm.com Fax Number: \_\_\_\_\_

**I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.**

*Mark Bentley*  
Signature of the Appellant

Mark Bentley  
Type or print name



## Submittal Requirements for an Appeal of Administrative Decision

*Incomplete applications will not be accepted*

	Included	N/A	Requirements
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Fee Payment</u>
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Application form</u> (included in this package)
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Affidavit(s) to Authorize Agent</u> (if applicable)
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Written Statement of Appeal</u>
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Notice of Appeal of Administrative Decision</u>
7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Copy of Decision Being Appealed
8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Evidence of Standing to Appeal</u>



## Appellant's Standing to Appeal

An appellant must show standing to appeal. Please select the reason for appeal below (check one).

1. For a decision of the Administrator that is of general applicability and is not specifically related to a particular parcel of real property or project:
  - ☐ Any resident, landowner or any person having a contractual interest in land in unincorporated Hillsborough County and any duly registered neighborhood organization, as described in [Section 10.03.02.F.1](#) of the Land Development Code (LDC).
2. For a decision of the Administrator that is not of general applicability and is specifically related to a particular parcel of real property or project:
  - ☐ An applicant of an Administrator's decision who is adversely affected by the Administrator's decision, or
  - ☒ A property owner whose property is the subject of the administrative decision and is adversely affected by the Administrator's decision, or
  - ☐ Any owner of real property as reflected on the current year's tax roll, lying within 500 feet in every direction of the property or project that is the subject of the administrative decision, any condominium and/or owners' association with common property lying within 500 feet in every direction of the property or project that is the subject of the administrative decision and any duly registered neighborhood organization, as described in [Section 10.03.02.F.1](#) of the LDC whose boundaries lie within one mile of the property or project that is the subject of the administrative decision, or
  - ☐ Any resident, landowner or any person having a contractual interest in land in unincorporated Hillsborough County and any duly registered neighborhood organization, as described in [Section 10.03.02.F.1](#) of the LDC who demonstrates a direct adverse impact as a result of the administrative decision that exceeds in degree the general interest in community good shared by all persons. The Land Use Hearing Officer shall make the determination if there has been a demonstration of a direct adverse impact sufficient to grant appellant status, however any information considered in making such a determination shall not be considered a part of the record on appeal except as provided in [Section 10.05.01 D](#) of the LDC.



## Notice of Appeal of Administrative Decision

DATE: \_\_\_\_\_

APPEAL NUMBER: \_\_\_\_\_

APPELLANT: Greystone at Pretty Lake LLC

DECISION BEING APPEALED: Administrative Variance PI 7001

ADDRESS/LOCATION OF THE  
SUBJECT PROPERTY OF DECISION: 8028 Cosme Rd., Odessa, FL

NAME OF PROPERTY OWNER(S): Greystone at Pretty Lake LLC

FOLIO #: 002461-0000

MAILING ADDRESS OF PROPERTY  
OWNER(S): 8028 Cosme Rd., Odessa, FL 33556

YOU ARE HEREBY NOTIFIED that an appeal of the administrative decision identified above has been filed with the Hillsborough County Development Services Department. As the owner(s) of the particular parcel of real property or project that is the subject of the decision, you are notified that this appeal will be set before the Land Use Hearing Officer pursuant to Section 10.05.01.C of the Land Development Code. You will receive notice from the Administrator when the LUHO hearing date is set.

Please direct all inquiries regarding this appeal to:

(813) 307-4739  
Development Services Department  
601 E. Kennedy Blvd., 20th Floor  
Tampa, FL 33602

Appellant Name: Greystone at Lake Pretty LLC

Appellant Address: 8028 Cosme Rd., Odessa, FL

Decision being appealed: Aministrative Variance PI 7001

Date of decision appealed: 1/10/2025